

**Utilities Code**  
**Chapter 62**  
**of the**  
**Municipal Code**  
**of the**  
**Village of**  
**Sister Bay, Wisconsin**

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# Village of Sister Bay Utilities Code

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## Chapter 62

### Utility Code

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# Village of Sister Bay Utility Code

## Section 62.1 General Intent.

## Section 62.6 Sewer and Water User Rules and Regulations.

### Section 62.1 General Intent.

The general intent of this chapter is to establish rules for the village sewer system, water system, and the operation of private wells.

### Section 62.2-4 Reserved.

### Section 62.5 Sewer and Water System

#### Requirements; Management Operation and Control.

(a) Generally. The management operation and control of the sewer and water systems of the village are vested in the Village Board. All records, minutes, financial records and all written proceedings of the Village Board shall be kept by the administrator. The sewer and water systems are further regulated by the state department of natural resources. The water system is a separate utility established according to the state public service commission and is by that subject to the rules and established rate file of the commission. A copy of the current rate file is available at the administrator's office and the Sewer and Water Utility Office. Besides the rules established by this chapter, all applicable county, state and federal rules shall be followed as they pertain to the sewer and water systems.

(b) Construction. The board has the power to construct sewer and water lines for public use and has the power to lay sewer and water pipes in and through the alleys, streets and public grounds of the village; and generally, to do all such work as may be found necessary or convenient in the management of the sewer and water systems. The board has power by itself, its officers, agents and servants to enter upon any land for making examination or supervise in the performance of its duties under this chapter without liability therefore; and the board has power to purchase and acquire for the village all real and personal property that may be necessary for construction of the sewer and water systems or for any repair, remodeling or additions thereto.

(c) Maintenance of services. The owner shall maintain sewer and water services from the street main to the house including all controls between the street main and the house, without expense to the village, unless they are damaged by the village. All claims for damage by the village must be made by the owner to the village according to applicable law. All sewer and water services must be maintained

free of defective conditions by and at the expense of the owner or occupant of the property. When any sewer and water services are to be re-laid and there are two or more buildings on such service, each building shall be disconnected from such service and new sewer and water services shall be installed for each building.

(d) Condemnation of real estate. Whenever any real estate or any easement therein, or use of it, shall in the judgment of the board be necessary to the sewer and water systems, and whenever, for any cause, an agreement for the purchase of it cannot be made with the owner, the board may proceed with all necessary steps to take such real estate, easement or use, by condemnation according to statute and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if Federal Funds are used.

(e) Title to real estate and personalty. All property, real, personal and mixed, acquired for the construction of the sewer and water systems, and all plans, specifications, diagrams, papers, books and records connected with such sewer system, and all buildings, machinery and fixtures pertaining thereto, shall be the property of the village.

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## Section 62.6 Sewer and Water User Rules and Regulations.

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### Section 62.6 Sewer and Water User Rules and Regulations.

(Sections 62.6(a)-(d) amended Ordinance No. 152-060909)

(a) Purpose. The Village of Sister Bay is committed to providing clean drinking water to all of its residents in particular to the customers of the Village's Water Utility. The Village Board finds and determines that improperly constructed, unused or improperly abandoned private wells are a known pathway for the entrance of contaminants into groundwater aquifers, which aquifers also supply the municipal water system. It is further determined that cross connecting of private wells and municipal water sources may lead to contamination. Contamination of the Village's water supply would severely and adversely affect the health, safety and general welfare of Village residents, particularly since contamination once introduced is extremely difficult to correct. Therefore, it is necessary and in the public interest that all wells within the corporate limits of the Village, whether existing or hereafter installed, shall be effectively monitored and regulated in regard to their creation, operation and abandonment as set forth in this section.

The rules and regulations of the Village concerning sewer and water users in this chapter shall be considered a part of the contract with every person, company or corporation who is connected to or uses the Village sewer and water systems, and every person, company or corporation by connecting with the sewer system or wastewater treatment facility shall be considered as expressing his/her or their assent to be bound. In addition, these rules and regulations of the Village in this chapter shall apply to all properties, persons, companies or corporations who use wells, septic systems and holding tanks in the Village not currently receiving service from the Village.

The Village Board reserves the right to change the rules and regulations from time to time, as it may deem advisable; and to make special rates and contracts in all proper cases. Persons connected to the sewer and water systems of the Village are referred to in this chapter as "users." This chapter ordains that the failure to connect to the sewer and water system is contrary to the minimum health standards of the Village and fails to ensure preservation of public health, comfort and safety of Village residents.

(b) Plumbers. No plumber, pipe fitter or other person will be permitted to do any plumbing or pipefitting work related to the sewer or water system without first receiving a license from the State. All service connections to the sewer main or water main shall comply with the State plumbing code. The Village herein adopts by reference Chapter COMM. 82, Wisconsin Administrative Code, of the State Plumbing Code. This section does not supersede the State Plumbing Code and Chapter 14 of this Municipal Code, but is supplementary to them.

### (c) Mandatory hookup.

(1) The owner of each parcel adjacent to sewer and water mains on which there exists a building usable for human occupation, or in a block through which utility systems extend, shall connect to the systems. Once the new system is placed in service, the property owner will receive a written notice that they must connect within 180 days from that notice. Once 180 days have lapsed and the property has not connected to the system, the Village may provide a second written notice that the Village is commencing the process to undertake the work and will bill the property owner for the costs including all administrative and staff expenses. Costs not paid within 30 days shall be assessed as a special tax lien against the property. The owner may within 30 days after the completion of the work file a written option with the Utility Manager stating that he/she cannot pay the amount in one sum and ask that it be levied in no more than five equal annual installments and that the amount shall be so collected with interest at prime rate plus 7 percent maximum per annum from the completion of the work, the unpaid balance being a special tax lien, all pursuant to Wisconsin Statutes § 281.45.

(2) Instead of the provisions of subsection (c)(1) of this section, the Village at its option may impose a penalty for the period that the violation continues, after ten days written notice to any owner failing to make a connection to the sewer and water systems, of an amount equal to four times the minimum quarterly charge for the sewer, fire protection and water service payable quarterly for the

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## Section 62.6 Sewer and Water User Rules and Regulations.

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- 1 period in which the failure to connect 55  
2 continues, and, upon failure to make 56  
3 the payment, a charge shall be assessed 57  
4 as a special tax lien against the property, 58  
5 all pursuant to Wisconsin Statutes § 59  
6 281.45. 60
- 7 (d) Private Wells in General. To prevent unused, 61  
8 unsafe and/or improperly constructed wells 62  
9 from serving as a passage for contaminated sur- 63  
10 face or near surface waters or other materials 64  
11 to reach the usable groundwater, these wells 65  
12 must be properly maintained or filled and 66  
13 sealed. Section NR 811.10, Wisconsin Adminis- 67  
14 trative Code, provides that a municipal water 68  
15 system shall require abandonment of all un- 69  
16 used, unsafe or non-complying private wells 70  
17 located on premises served by the water sys- 71  
18 tem. All properties within the Village limits 72  
19 shall be governed by this section. All property 73  
20 owners must obtain a well permit as specified 74  
21 below in order to operate or utilize a well. 75  
22 (1) Private Well Abandonment Require- 76  
23 ments. 77
- 24 a. Any private well which is unused, 78  
25 unsafe or non-complying and 79  
26 which serves any premises re- 80  
27 quired to be connected to a wa- 81  
28 ter main under Section 62.2 of 82  
29 this Chapter shall be permanent- 83  
30 ly abandoned within six months 84  
31 after connection of the premises 85  
32 to the water system, unless a well 86  
33 operation permit has been ob- 87  
34 tained by the well owner pursu- 88  
35 ant to subsection (2) below. 89  
36 Abandonment shall be conduct- 90  
37 ed by filling and sealing in ac- 91  
38 cordance with the provisions of 92  
39 Chapter NR 812 Wisconsin Ad- 93  
40 ministrative Code. It shall be the 94  
41 responsibility of the landowner 95  
42 of any real property upon which 96  
43 a well is located to see to it that 97  
44 all wells located on the owner's 98  
45 property have been properly 99  
46 abandoned in accordance with 100  
47 the procedures of Wisconsin 101  
48 Administrative Code NR Chapter 102  
49 812, regardless of whether the 103  
50 owner has used the well. Upon 104  
51 discovery of any unused or pre- 105  
52 viously abandoned well, the 106  
53 owner shall notify the Village and 107  
54 comply, insofar as is practicable,
- with the procedures of this sec-  
tion. In the case of a previously  
abandoned well, if the owner  
can produce proof of compli-  
ance with state well abandon-  
ment requirements to the satis-  
faction of the Village, compliance  
with this section may be deemed  
satisfied. The determination shall  
be at the discretion of the Utility  
Manager upon considering the  
present and future possibility of  
ground water contamination at  
the well site.
- b. The owner of the well or the  
owner's agent who will conduct  
the abandonment shall notify the  
Village at least two business days  
prior to commencement of any  
well abandonment activities so  
that the Village may observe the  
abandonment.
- c. Wells must be abandoned by li-  
censed well drillers and or pump  
installers.
- d. Wells to be abandoned shall be  
filled according to the proce-  
dures outlined in Wisconsin Ad-  
ministrative Code NR Chapter  
812. The pump and piping must  
be removed and the well  
checked for obstructions before  
plugging. Any obstruction or liner  
must be removed. A well aban-  
donment report must be submit-  
ted by the well owner to the State  
Department of Natural Resources  
on forms provided by that agen-  
cy and a copy provided to the  
Village. The report shall be sub-  
mitted immediately upon com-  
pletion of the filling of the well.
- (2) Permit for wells for outdoor or agricul-  
tural watering for properties served by  
Village Utilities.
- a. Any owner of a private well  
which is required to be perma-  
nently abandoned pursuant to  
subsection (1)(a) above shall ap-  
ply to the Village for permission  
to maintain the well in good op-  
erating condition for the sole  
purpose of providing water for

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1	filling swimming pools, lawn or	55	system and the private
2	garden watering or other similar	56	well.
3	agricultural purpose, provided	57	(2) Bacteriologically safe wa-
4	that the well continues to pass all	58	ter is evidenced by at least
5	tests required for private wells	59	two samples taken a min-
6	and the owner shall agree to pay	60	imum of two weeks apart.
7	the cost of abandonment when		
8	the well shall be permanently	61	(3) There are no known
9	abandoned.	62	exceedances of the pre-
10	b. Every owner of a private well	63	ventive action limits (PALs)
11	which was in existence on Janu-	64	set forth in Chapter NR
12	ary 1, 1990, that serves premises	65	140, Wisconsin Adminis-
13	also served by the municipal wa-	66	trative Code.
14	ter system and who wants to con-	67	(4) (4) The well and pump
15	tinue to use the well shall obtain	68	installation shall be in-
16	a permit for the use of the well	69	spected and shall meet
17	from the Village within 90 days	70	the requirements of Wis-
18	from the effective date of this	71	consin Administrative
19	section § 62.6(d)(2) determined	72	Code NR Chapter 812 in
20	to be May 14, 1991. Drilling new	73	effect at the time of the
21	private wells that will be used	74	well construction and
22	under the circumstances de-	75	pump installation. A well
23	scribed in this subsection may	76	constructor's report shall
24	not commence until a permit for	77	be on file with the State
25	the excavation of the private well	78	Department of Natural
26	has been granted in accordance	79	Resources or Certification
27	with the terms of this section.	80	of the Acceptability of the
28	c. Applications for a permit for the	81	well shall have been
29	excavation or use of a private	82	granted by the private wa-
30	well under this section shall be	83	ter supply section of the
31	made in writing by the owner or	84	State Department of Natu-
32	owners of the well to the Village	85	ral Resources.
33	on forms provided by the Village.	86	(5) The proposed use of the
34	A \$50 processing fee shall ac-	87	well can be justified as
35	company any private well exca-	88	necessary in addition to
36	vation or renewal permit applica-	89	water provided by the
37	tion. A permit shall be granted to	90	public water system.
38	a well owner to operate a well for		
39	a period not to exceed five years	91	(3) <u>Permit for existing wells for properties</u>
40	if the requirements of this sub-	92	<u>not served by Village Utilities.</u>
41	section are met. Failure to obtain	93	a. Every owner of a private well,
42	an initial or renewal permit will	94	which was in existence on June 1,
43	result in a late permit fee of \$100	95	2009, in the Village that serves
44	plus the penalties in section (6).	96	their property, shall obtain a
45	Permit applications shall be	97	permit for the use of the well
46	made and submitted on forms	98	from the Village within 90 days
47	provided by the Village. Permits	99	from the effective date of this
48	and permit renewals will be	100	section.
49	granted under this section only		
50	for wells and pump installations	101	b. A section (3)(a) well permit will
51	where:	102	be for a period of five years upon
52	(1) No physical connection	103	issuance. The initial permit shall
53	shall exist between the	104	cost \$50. The subsequent re-
54	piping of the public water	105	newal permit processing fee shall
		106	be \$50. Failure to obtain an initial

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or renewal permit will result in a late permit fee of \$100 plus the penalties in section (6). Permit applications shall be made and submitted on forms provided by the Village.

c. The well owner or operator shall every five years, on a schedule established by the Village, provide the Village with written evidence that the well produces bacteriologically safe water as evidenced by two safe water samples taken a minimum of one week apart. The report shall be submitted during the period June 1 – September 1 of each year. If the well does not meet the safe water requirements or is unsafe the owner must either repair or replace the well. However, prior to undertaking any repairs or replacement of the well the property owner must meet with the Utility Manager to determine if the proposed repairs or replacement would solve the contamination problem or if some other course of action is more practical. In lieu of repairing or replacing the well, the property owner may request the Village extend municipal water to serve that property.

(4) Permit for new wells for properties not served by Village Utilities.

a. After January 1, 2009, the drilling of new private wells that will be used under the circumstances described in this section may not commence until a permit for the excavation of the private well has been granted in accordance with the terms of this section.

b. A section (4)(a) well permit will be for a period of five years upon issuance and the initial permit shall cost \$50. Failure to obtain a permit will result in a late permit fee of \$100 plus the penalties in section (6). Permit applications shall be made and submitted on forms provided by the Village.

c. The well owner or operator shall every five years, on a schedule established by the Village, provide the Village with written evidence that the well produces bacteriologically safe water as evidenced by two safe water samples taken a minimum of one week apart. The report shall be submitted during the period June 1 – September 1 of each year. If the well does not meet the safe water requirements or is unsafe the owner must either repair or replace the well. However, prior to undertaking any repairs or replacement of the well the property owner must meet with the Utility Manager to determine if the proposed repairs or replacement would solve the contamination problem or if some other course of action is more practical. In lieu of repairing or replacing the well, the property owner may request the Village extend municipal water to serve that property.

(5) Additional conditions of well permit.  
The right to construct, install and maintain a well as authorized by permit under this section shall be expressly conditioned upon the owners and successors in interest complying with the following:

a. The owner shall permit the Village access to the well for inspection and testing at any time during normal working hours. If entry is refused, the well permit is revoked and the owner shall proceed with abandonment as specified above. On request, the owner, lessee or occupant of any property so served shall furnish to the inspector any pertinent information regarding the piping system on the property.

b. No repair or modification of any well may be performed unless done by a properly licensed individual. At least one business day notice to the Village prior to undertaking the repairs is required so the work may be inspected.



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1	Any and all plumbing code per-	53	tests authorized with 30
2	mits as required shall also be ob-	54	days of billing or invoice.
3	tained prior to undertaking any		
4	work.	55	3. Any test results demon-
		56	strate well contamination
5	c. The Village shall have the right to	57	and do not meet reasona-
6	sample the water after comple-	58	ble health standards or are
7	tion of any repairs or modifica-	59	in violation of any state or
8	tions. The sampling shall be at	60	municipal ordinance deal-
9	the owner's cost and may either	61	ing with well operation.
10	be done by the Village or by the	62	
11	owner at the Village's direction.	63	4. The parties aggrieved by
		64	permit revocation may
12	d. The Village shall have the right to	65	appeal the initial decision
13	randomly test or to direct the	66	of the Utility Manager to
14	owner to test the well not more	67	the Village Board by filing
15	than two times in any six-month	68	a written petition for re-
16	period. The Village may require	69	view with the Village
17	additional testing if there is rea-		clerk-treasurer.
18	son to believe some contamina-	70	
19	tion may be present or that the	71	(e) <u>Private wastewater systems prohibited.</u> The
20	results of previous tests may be	72	maintenance and use of septic tanks and other
21	invalid. The Village at its option	73	private sewage disposal systems within the area
22	may require testing for contami-	74	the village services by its sewer system are de-
23	nates to include microbiological,	75	clared a public nuisance and a health hazard.
24	radioactive, inorganic, synthetic	76	The use of septic tanks or any private sewage
25	organic, pesticides, herbicides	77	disposal system within the area of the village
26	and volatile organic substances.		served by the sewerage system is prohibited.
27	The Utility Manager shall report	78	(f) <u>Application for initial sewer and water service.</u>
28	the results of testing and the re-	79	Every person connecting with the sewer and
29	sulting remedial action to the	80	water systems initially shall file an application
30	DNR on an annual basis. If the	81	in writing to the Utility Manager in such form as
31	test results suggest that a severe	82	is prescribed for that purpose. Blanks for such
32	or area wide problem exists the	83	application will be furnished at the office of the
33	Utility Manager shall notify the	84	administrator and the Sewer and Water Utility
34	DNR immediately.	85	Office. The application must state fully and tru-
		86	ly all the uses the applicant intends to make of
35	e. The cost of any testing and sam-	87	the sewer and water systems. If the applicant is
36	pling as provided in this section	88	not the owner of the premises, the written con-
37	shall be paid by the owner upon	89	sent of the owner must accompany the appli-
38	invoice by the Village.	90	cation. If it appears that the service applied for
		91	will not provide adequate service for the con-
39	f. A permit issued in accordance	92	templated use, the board may reject the appli-
40	with the provisions of this section	93	cation. If the board approves the application, it
41	shall be revoked by the Utility	94	shall issue a permit for services as shown on the
42	Manager upon notice to the	95	application.
43	permittee that any of the follow-		
44	ing have occurred:	96	(g) <u>Septage disposal.</u> Between August 1 and Sep-
		97	tember 1 of each year, every licensed disposer
45	1. The owner of the well has	98	wishing to discharge septage to the village's
46	refused access to a well	99	wastewater treatment works shall file a nonre-
47	for testing or has failed to	100	fundable filing fee and an application in writing
48	follow a direction of order	101	to the board in such a form as is prescribed for
49	of the Village in regard to	102	that purpose. During the months of July and
50	testing or sampling.	103	August, forms for such application will be fur-
		104	nished at the office of the Utility Manager. The
51	2. The owner of any well has	105	application must state fully and truly the type,
52	neglected to pay for any		

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frequency, quantity, quality and location of generated septage to be disposed at the village's wastewater treatment works. During September, the board will evaluate the applications and determine the amount and conditions of septage disposal at the village's wastewater treatment facility. The board shall approve or reject all applications by October 1 of each year. If the board cannot accept the proposed septage disposal, then consideration shall be given first to those generators of septage that are within the septage service area. The septage service area includes the Town of Liberty Grove, the village and the Liberty Grove Sanitary District No. 1. All village approvals for septage disposal shall have the condition that any time the wastewater treatment works has operational problems, maintenance problems or the threat of WPDES permit violations that are indirectly or directly related to septage disposal, the village may immediately restrict septage disposal outside the septage service area until corrective action or mitigative measures have been taken. Septage shall be discharged only at the village wastewater treatment plant and only by village approved and state licensed disposers and at locations, times and conditions as specified by the board.

(h) User to keep in repair. All users shall keep their own sewer service pipes in good repair and protected from frost, at their own risk and expense, and shall prevent any unnecessary overburdening of the sewer system. The service pipe shall be defined to be the building drain and building sewer pipe extending from the interior drain of the building to the sanitary sewer main.

(i) Backflow preventor. All floor drains shall have a backflow prevention valve installed at the owner's expense.

(j) User use only. No user shall allow others or other services to connect to the sewer or water system through his lateral.

(k) Vacating of premises and discontinuance of service. Whenever premises served by the system are to be vacated, or whenever any person wants to end service from the system, the Utility Manager must be notified in writing. Upon such notification, the village will cause an inspection to be made of the system. If any damages are discovered having occurred to the system, other than through the fault of the system itself, or village employees, representatives or

agents, the owner of the premises shall be liable for such damages.

(l) User to permit inspection. Every user shall allow the board or its duly authorized agent, at all reasonable hours of the day, to enter their premises or building to examine the pipes and fixtures and the manner in which the drains and sewer connections operate.

(m) Damage and repairs. No claim shall be made against the village or acting representative due to the breaking, clogging, stoppage or freezing of any service pipes; nor from any damage arising from repairing mains, making connections or extensions or any other work that may be deemed necessary. The right is here reserved to cut off the service any time for repairs or any other necessary purpose, any permit granted or regulations to the contrary notwithstanding. Whenever it shall become necessary to shut off the sewer or water service within any area of the village, the Utility Manager shall, if practicable, give notice to every consumer within the village, of the time when such service will shut off.

(n) Water cross connection control.

(1) No person shall establish or permit to be established or maintain or permit to be maintained any cross connection. A cross connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the village water system, and the other, water from a private source, water of unknown or questionable safety, or steam, gases or chemicals so there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems. No interconnection shall be established so potable water from a private, auxiliary or emergency water supply other than the regular water supply of the village may enter the supply or distribution system of the village, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the village and by the state department of natural resources.

(2) It is the duty of the village to cause inspections to be made of all properties served by the public water system where cross connections with the public water system is deemed possible. The frequency of inspections and reinspections based on potential

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1 health hazards involved shall be as established  
2 by the board and as approved by the state de-  
3 partment of natural resources.

4 (3) Upon presentation of credentials, a rep-  
5 resentative of the village shall have the right to  
6 request entry at any reasonable time to exam-  
7 ine any property served by a connection to the  
8 public water system of the village for cross  
9 connections. If entry is refused, such repre-  
10 sentative may obtain a special inspection war-  
11 rant under Wis. Stats. § 66.0119. On request,  
12 the owner, lessee or occupant of any property  
13 so served shall furnish to the inspection agency  
14 any pertinent information regarding the piping  
15 systems on such property.

16 (4) The village shall cease water service to  
17 any property in which any connection violating  
18 this chapter exists and to take such other pre-  
19 cautionary measures deemed necessary to  
20 eliminate any danger of contamination of the  
21 water system. Water service shall be ceased  
22 only after reasonable notice and opportunity  
23 for hearing under Wis. Stats. Chapter 68, ex-  
24 cept as provided here. Water service to such  
25 property shall not be restored until the cross  
26 connection has been eliminated in compliance  
27 with the provisions of this chapter.

28 (5) If it is determined by the village that a  
29 cross connection or an emergency endangers  
30 public health, safety or welfare and requires  
31 immediate action, and a written finding to that  
32 effect is filed with the Utility Manager and de-  
33 livered to the customer's premises, service may  
34 be immediately ceased. The customer shall  
35 have an opportunity for a hearing under Wis.  
36 Stats. Chapter 68 within ten days of emergency  
37 discontinuance.

38 (o) Prohibitions against discharge to sewer. No  
39 person shall discharge or cause to be dis-  
40 charged any of the following described liquids  
41 or solid wastes to any sanitary sewer or to the  
42 wastewater treatment facility:

43 (1) Any stormwater, surface water, ground-  
44 water, roof run off, sump pump, surface drain-  
45 age, or any other connections from inflow  
46 sources to the sanitary sewer. Such waters may  
47 be discharged to a storm sewer or other wa-  
48 terway with written permission of the village.

49 (2) Any gasoline, benzene, naphtha, fuel oil,  
50 lubricating oil or other flammable or explosive  
51 liquid, solid or gas or other substances that by  
52 themselves or by interaction with other sub-  
53 stances may cause fire or explosion hazards, or

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in any other way harmful to persons, property  
or the operation of the wastewater facilities.

(3) Any waters or wastes containing toxic or  
poisonous substances in sufficient quantity, ei-  
ther singly or by interaction with other wastes,  
which will injure or interfere with any  
wastewater treatment process, constitute a  
hazard to humans or animals, create a public  
nuisance in the receiving waters of the  
wastewater treatment plant or interference  
with the disposal of sludge.

(4) Any waters or wastes having a pH lower  
than five or having any other corrosive property  
capable of causing damage or hazard to struc-  
tures, equipment and personnel or the  
wastewater facility.

(5) Any waters or wastes having a pH more  
than ten.

(6) Solid or viscous substances in quantities  
or of a size capable of causing obstruction to  
the flow in sewers or other interference with  
the proper operation of the wastewater facili-  
ties such as, but not limited to, ashes, cinders,  
sand, rocks, mud, straw, shavings, metal, glass,  
rags, feathers, tar, plastics, wood, unground  
garbage, whole blood, paunch manure, hair or  
fleshings, entrails, paper dishes, cups, milk  
containers, etc., either whole or ground by  
garbage grinders.

(7) Any discharge into the sanitary sewerage  
system that is violating the requirements of the  
WPDES permit and the modifications of it.

(8) Wastewater having a temperature higher  
than 150 degrees Fahrenheit or cause the  
wastewater at the treatment facility to exceed  
104 degrees Fahrenheit.

(9) Any waters or wastes which may contain  
more than 100 parts per million by weight of  
oils, fat or grease.

(10) Any garbage that has not been properly  
shredded. Garbage grinders may be connected  
to sanitary sewers from homes, hotels, institu-  
tions, restaurants, hospitals, catering estab-  
lishments or similar places where garbage orig-  
inates from the preparation of food in kitchens  
for consumption on the premises or when  
served by caterers.

(11) Any waters or wastes containing iron,  
chromium, copper, zinc, mercury and similar  
objectionable or toxic substances to such de-  
gree that any such material received in the

# Village of Sister Bay Utility Code

## Section 62.7 Sewer Connection Fees.

## Section 62.7 Sewer Connection Fees.

- 1 composite wastewater at the treatment facility  
2 exceeds the limits established by the village for  
3 such materials.
- 4 (12) Any waters or wastes containing odor-  
5 producing substances exceeding limits that  
6 may be established by the village.
- 7 (13) Any radioactive wastes or isotopes of a  
8 half-life or concentration as may exceed limits  
9 established by the village complying with ap-  
10 plicable state or federal regulations.
- 11 (14) Quantities of flow, concentrations or  
12 both that form a slug load as defined in this  
13 chapter.
- 14 (15) Incompatible pollutants containing sub-  
15 stances that are not amenable to treatment or  
16 reduction by the wastewater treatment pro-  
17 cesses employed, or are amenable to treat-  
18 ment only to such degree that the wastewater  
19 treatment facility effluent cannot meet the re-  
20 quirements of other agencies having jurisdic-  
21 tion over discharge to the receiving waters.
- 22 (16) Any waters or wastes that, by interaction  
23 with other waters or wastes in the public sewer  
24 system, release obnoxious gases, form sus-  
25 pended solids that interfere with the collection  
26 system or create a condition deleterious to  
27 structures and treatment processes.
- 28 (17) Materials, which exert or cause:
- 29 a. Unusually high BOD5, chemical  
30 oxygen demand or chlorine require-  
31 ments, such as, but not limited to, whey  
32 in such quantities as to form a significant  
33 load on the wastewater treatment facili-  
34 ty.
- 35 b. Unusual flow or concentrated  
36 wastes forming a slug load as defined in  
37 this chapter.
- 38 c. Unusual concentrations of inert  
39 suspended solids (such as, but not lim-  
40 ited to, fuller's earth, lime slurries and  
41 lime residues) or of dissolved solids  
42 (such as, but not limited to, sodium sul-  
43 fate).
- 44 d. Excessive discoloration (such as,  
45 but not limited to, dye wastes and vege-  
46 table tanning solutions).
- 47 (p) Special wastewater agreements. No statement  
48 contained in this chapter shall be construed as  
49 prohibiting any special agreement between the  
50 village and any person by which an industrial  
51 waste of unusual strength or character may be  
52 admitted to the wastewater treatment facility,  
53 either before or after pretreatment, if there is  
54 no impairment of the functioning of the  
55 wastewater treatment facility due to the admis-  
56 sion of the wastes and no extra costs are in-  
57 curred by the village without recompense by  
58 the person, if all rates and provisions set forth  
59 in this chapter are complied with.
- 60 (q) Wastewater permit required. It shall be unlaw-  
61 ful to discharge to any natural waterway within  
62 the village or in any area under the jurisdiction  
63 of the village any sewage or other polluted wa-  
64 ters without first obtaining a WPDES permit.
- 65 (r) Abandoned water connection. Whenever any  
66 connection to the Water System is abandoned  
67 because the building to which the connection  
68 is made has been abandoned, destroyed or  
69 removed, the property owner must remove  
70 any pipe or connections in the public right of  
71 way or easement and cap, plug or otherwise  
72 seal the pipe or main as approved by the Utility  
73 Manager. The property owner must notify the  
74 Utility Manager at least three (3) business days  
75 in advance of the intent to abandon a lateral.  
76 The lateral abandonment must be inspected by  
77 the Water Utility during normal working hours  
78 before burial takes place. If proper abandon-  
79 ment is not performed, the Water Utility may  
80 authorize this work done and billed back to the  
81 property owner or placed on the tax roll as a  
82 special assessment or fee.
- 83 (s) Abandoned sewer connection. Whenever any  
84 connection to the Wastewater Collection Sys-  
85 tem is abandoned because the building to  
86 which the connection is made has been aban-  
87 doned, destroyed or removed, the property  
88 owner must expose the line at the property  
89 line, disconnect and permanently cap the pipe  
90 or connections in the public right of way or  
91 easement and cap, plug or otherwise seal the  
92 pipe or main as approved by the Utility Man-  
93 ager. The property owner must notify the Utility  
94 Manager at least three (3) business days in ad-  
95 vance of the intent to abandon a lateral. The  
96 lateral abandonment must be inspected by the  
97 Sewer Utility during normal working hours be-  
98 fore burial takes place. If proper abandonment  
99 is not performed, the Sewer Utility may author-  
100 ize this work done and billed back to the prop-  
101 erty owner.
- 102 **Section 62.7 Sewer Connection Fees.**
- 103 (a) Sewer connection fees. All new users to the  
104 sewer system are required to buy into the sys-  
105 tem wide improvements through an initial

# Village of Sister Bay Utility Code

## Section 62.8 Water Connection Fee.

## Section 62.9 User Charge System.

connection charge. The initial connection charge will be levied against each user connected to the sanitary sewer. The single-family residence connection charge will be on file in the village payable before connection to the sewer. Initial connection charge for multiple-family, commercial or industrial buildings will be based on a multiple of the single-family connection charge or residential equivalent user (REU). The initial connection charge for restaurants, small commercial or industrial connections will be based on a multiple of the volume of water usage and strength of wastewater in comparison to a typical single-family residence residential equivalent user having the following standards:

### REU Standards

Volume	225 gallons per day
BOD (Biochemical Oxygen Demand)	0.51 pounds per day
SS (Suspended Solids)	0.60 pounds per day
Phosphorus	0.03 pounds per day

### Section 62.8 Water Connection Fee.

- (a) Water Lateral Installation Charge. The initial water service lateral(s), not installed as part of a subdivision development or an assessable utility extension, will be installed from the main through the curb stop and box by the utility, for which the actual cost will be charged. (Amended Ordinance 133-100207)
- (b) The Utility Committee shall establish and maintain a methodology to charge a connection fee for all properties taking into account the cost of materials, equipment and vehicles, the cost of employee time to perform the work and to set up the account for billing purposes.

### Section 62.9 User Charge System.

- (a) Policy. It is the policy of the Village Board to obtain sufficient revenues to pay the costs of the operation and maintenance of the water, wastewater collections and treatment facilities, including a replacement fund (i.e., a cash account to be used for future expenditures for

obtaining or installing equipment, accessories or appurtenances that are necessary to maintain the capacity and performance of those facilities during the service life for which such facilities were designed and constructed), through a system of water and sewer service charges as defined in this section. The system shall ensure that each user of the sewerage facilities pays a proportionate share of the cost of facilities.

- (b) Reassignment of users. The village will reassign water and sewer users into appropriate water and sewer service charge categories if wastewater sampling programs, changes in water demand and other related information show a change of categories is necessary.
- (c) Sewer User charge methodology. The Utility Committee shall establish and approve the methodology for sewer use rates. The following factors shall be used to calculate the debt service and operation, maintenance and replacement charges for the treatment of village and outside wastewaters:
- (1) Debt service charges.
  - (2) Operation, maintenance and replacement charges.
  - (3) Surcharges. All users shall pay a surcharge on wastewater exceeding normal concentrations.
- (e) Water User Charge System. The methodology for determining water rates is established by the Wisconsin Public Service Commission. The water user charges are established and included in the Wisconsin Public Service Commission (WPSC) rate file established for the village.
- (f) Review and approval of rates. The Village Utility Committee shall provide oversight of the utilities consistent with the requirements of the Wisconsin Public Service Commission. The Utility Committee will prepare an annual budget and capital improvement plan on the same schedule as the Village Budget for approval by the Village Board. The Utility Committee will conduct a review of wastewater and water rates on alternate years for Village Board consideration.
- (g) Records and expenditures. The water and sewer utility shall maintain all records of revenue and expenditures as required by the WPSC and statutes.
- (d) Annual sewer system audit. The village shall conduct an annual audit, the purpose of which

# Village of Sister Bay Utility Code

## Section 62.10 Payment of Charges.

## Section 62.11 Control of High Strength Waste and Septage Wastes.

shall be to maintain the proportionality between the users and user classes of the sewer user charge system and to ensure that adequate revenues are available relative to increasing operation, maintenance and replacement costs for the sewer and wastewater treatment works and water system.

### Section 62.10 Payment of Charges.

(a) Payment. The sewer and water service charges shall be billed quarterly and shall be payable to the Water and Sewer Utility not later than 20 days after the end of each period. Every reasonable care will be exercised in the proper delivery of sewer and water bills. Failure to receive a sewer and/or water bill, however, shall not relieve any person of the responsibility for payment of sewer and water rates within the prescribed period, nor exempt any person from any penalty imposed for delinquency in the payment of it. The property owner is held responsible for all sewer and water bills on the premises that he owns. All sewer and water bills and notices of any nature about the sewer or water system will be addressed to the owner and delivered to the premises referred to on such bill or notice. A late payment charge of three percent (3.0%), but not less than \$0.50, will be added to all bills not paid within the 20 days of issuance. (Amended Ordinance 133-100207)

(b) Charges a lien. All sewer charges shall be a lien upon the property serviced pursuant to Wis. Stats. § 66.0821(4)(d) and all water charges shall be a lien on the property serviced pursuant to Wis. Stats. § 66.0809 and all such charges shall be collected in the manner therein provided.

(c) Disposition of revenue.

(1) Sewer system.

a. The amounts received from the collection of charges authorized by this chapter shall be credited to a sanitary sewerage account that shall show all receipts and expenditures of the sewerage system. Charges collected for replacement expenses shall be credited to a segregated, non-lapsing replacement account. These funds are to be used exclusively for replacement. When appropriated by the village, the credits to the sanitary sewerage account shall be available for the payment of the requirements for operation, maintenance,

repairs and depreciation of the sewerage system consistent with 40 CFR 35.929. Any surplus outside the preview of 40 CFR 35.929, in such account, shall be available for the payment of principal and interest of bonds issued and outstanding, or that may be issued, to provide funds for such sewerage system, or part of it, and all or a part of the expenses for additions and improvements and other necessary disbursements or indebtedness, and the village may resolve to pledge each surplus or any part of it for any such purpose. All present outstanding sewer system general obligation bonds on the effective date of the ordinance from which this chapter is derived, including refunding bonds, shall be paid from this fund as to both principal and interest.

b. Excess revenues collected for a user class will be applied to operation and maintenance costs attributable to that class for the next year.

### Section 62.11 Control of High Strength Waste and Septage Wastes.

(a) High Strength Waste discharges. If any waters, wastes or septage are discharged, or proposed to be discharged, to the public sewers or at the wastewater treatment facility, which waters, wastes or septage contain substances or possess the characteristics enumerated in subsection 62.6(o) that, in the judgment of the village, may have deleterious effects upon the wastewater treatment facility, processes, equipment, receiving waters or which otherwise create a hazard to life, health or form a public nuisance, the village may: (Amended Ordinance 133-100207)

(1) Reject the wastes.

(2) Require pretreatment to an acceptable condition for discharge to the public sewers.

(3) Require control over the quantities and rates of discharge.

(4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of section 62.9.

(b) Control manholes.

# Village of Sister Bay Utility Code

## Section 62.11 Control of High Strength Waste and Septage Wastes.

## Section 62.11 Control of High Strength Waste and Septage Wastes.

- 1 (1) Each person discharging high strength  
2 wastes into a public sewer shall construct and  
3 maintain one or more control manholes or ac-  
4 cess points to ease observation, measurement  
5 and sampling of his wastes, including domestic  
6 sewage.
- 7 (2) Control manholes or access facilities  
8 shall be located and built in a manner ac-  
9 ceptable to the board. If measuring devices are  
10 to be permanently installed, they shall be of a  
11 type acceptable to the board.
- 12 (3) Control manholes, access facilities and  
13 related equipment shall be installed by the  
14 person discharging the high strength waste, at  
15 his expense, and shall be maintained by the  
16 person discharging the waste to be in safe  
17 condition, accessible and in proper operating  
18 condition always. Plans for installation of con-  
19 trol manholes or access facilities and related  
20 equipment shall be approved by the board be-  
21 fore the beginning of construction.
- 22 (c) Metering of waste. Devices for measuring the  
23 volume of waste discharged may be required  
24 by the village if this volume cannot otherwise  
25 be estimated. Where required by the village,  
26 metering devices for determining the volume  
27 of water shall be installed, owned and main-  
28 tained by the person discharging the  
29 wastewater. Following approval and installa-  
30 tion, such meters may not be removed without  
31 the consent of the village.
- 32 (d) Waste sampling.
- 33 (1) High strength wastes and septage dis-  
34 charged into the public sewers shall be subject  
35 to periodic inspection and a determination of  
36 the character and concentration of such  
37 wastes. The determinations shall be made by  
38 the industrial classification or the licensed dis-  
39 poser as often as may be deemed necessary by  
40 the village.
- 41 (2) Samples shall be collected in such a  
42 manner as to represent the composition of the  
43 wastes. The sampling may be accomplished ei-  
44 ther manually or by mechanical equipment ac-  
45 ceptable to the village.
- 46 (3) Testing facilities shall be the responsibil-  
47 ity of the person discharging the high strength  
48 waste or septage and shall be subject to the  
49 approval of the village. Access to sampling lo-  
50 cations shall always be granted to the village or  
51 its duly authorized representative. Every care  
52 shall be exercised in the collection of samples

- 53 to ensure their preservation in a state compa-  
54 rable to that at the time the sample was taken.
- 55 (e) Pretreatment. When required, in the opinion of  
56 the village, to modify or eliminate wastes that  
57 are harmful to the structures, processes or op-  
58 eration of the wastewater conveyance and  
59 treatment facilities, the discharger shall provide  
60 at his expense such preliminary treatment or  
61 processing facilities as may be required to ren-  
62 der such wastes acceptable for admission to  
63 the public sewers.
- 64 (f) Grease, oil and sand interceptors. The intent of  
65 the following grease interceptor requirements  
66 are to provide rules to eliminate or decrease  
67 the accumulation of grease in the pipes and  
68 pumps of the sanitary sewer collection system  
69 and to reduce the waste loading of undesirable  
70 elements at the treatment plant. This will serve  
71 to reduce or eliminate special costs to the  
72 sewer users, such as sewer cleaning due to  
73 grease plugs, odor control and additional  
74 chemical treatment. *[Amended Ordinance 214-  
75 081313]*
- 76 Grease, oil and sand interceptors shall be pro-  
77 vided when, in the opinion of the Utility Man-  
78 ager, they are necessary for the proper han-  
79 dling of liquid wastes containing floatable  
80 grease in excessive amounts, as specified in  
81 Section 62.6(o)(9); except that such intercep-  
82 tors shall not be required for private living  
83 quarters or dwelling units.
- 84 All interceptors shall meet the requirements of  
85 Wisconsin Administrative code SPS 382.34. The  
86 owner(s) shall be responsible for the proper  
87 removal and disposal by appropriate means of  
88 the captured material and shall maintain rec-  
89 ords of the dates and the means of disposal,  
90 which are subject to review by the Utility Man-  
91 ager. Any removal and hauling of the collected  
92 materials not performed by the owner(s)' per-  
93 sonnel must be performed by currently li-  
94 censed waste disposal firms.
- 95 In addition to the requirements stated above,  
96 all restaurants, food processing and similar fa-  
97 cilities must comply with the requirements of  
98 Subsections (1) and (2) below.
- 99 (1) Installation of Grease Interceptors:
- 100 (a) No later than December 1, 2014  
101 grease interceptors must be provided at  
102 all restaurants, food processing and  
103 similar facilities for the proper handling  
104 of liquid wastes containing floatable

# Village of Sister Bay Utility Code

## Section 62.11 Control of High Strength Waste and Septage Wastes.

## Section 62.11 Control of High Strength Waste and Septage Wastes.

1 grease in excessive amounts as specified  
2 in Section 62.6 (o)(9).  
3 (b) All interceptors shall meet the re-  
4 quirements of Wisconsin Administrative  
5 code SPS 382.34, except that the Village  
6 shall reserve the right to require all new  
7 restaurants, food processing and similar  
8 facilities to have exterior grease inter-  
9 ceptors.  
10 (2) Inspection and Cleaning of Grease In-  
11 terceptors:  
12 (a) All interior grease interceptors must  
13 be inspected by the restaurant or food  
14 processing facility owner or authorized  
15 employee and cleaned at a minimum as  
16 follows:  
17 1. Once per month, except during  
18 periods when restaurants, food pro-  
19 cessing and similar facilities are not  
20 open for business.  
21 (b) All exterior grease interceptors  
22 must be inspected and cleaned by a li-  
23 censed pumper or hauler by May 1 of  
24 each year.  
25 (c) The Utility Manager shall have the  
26 authority to require more frequent  
27 cleanings.  
28 (d) All interceptor inspections and  
29 cleaning must be recorded on a form  
30 provided by the Utility, and a signed  
31 copy must be provided to the Utility  
32 Clerk on a monthly basis. If a commer-  
33 cial hauler performs the cleaning ser-  
34 vice, his name and signature must be  
35 recorded on the form after each clean-  
36 ing. Failure to provide the Utility with an  
37 executed and signed inspection  
38 /cleaning form will result in an in-  
39 spection by the Utility. If the restaurant  
40 or food processing facility has not been  
41 open for business or in operation during  
42 the month to be reported, it should be  
43 so noted on the reporting form.  
44 (e) If the Utility inspection reveals  
45 that an interceptor is in need of clean-  
46 ing, a written notice will be issued to the  
47 owner or his representative, and the  
48 Utility will have the interceptor cleaned.  
49 The owner will be billed the cost for  
50 cleaning the interceptor, including a  
51 service charge by the Utility. Delinquent  
52 bills with interest will be placed on the

53 tax roll for the property as a special  
54 charge.  
55 (f) If the Utility inspection reveals  
56 that an interceptor is defective or un-  
57 dersized so as to not work properly the  
58 Utility Manager may order the repair or  
59 replacement of the interceptor.  
60 (g) Wastes from interceptor cleaning  
61 shall not be disposed of in the sanitary  
62 sewer system.  
63 (h) Grease liquefiers or solvents of  
64 any kind shall not be used to clean  
65 grease interceptors.  
66 (i) The Utility Manager shall annually  
67 report to the Utility Committee and Vil-  
68 lage Board on the compliance of the  
69 various businesses and facilities with  
70 these provisions no later than May 15  
71 each year.  
72 (g) Analyses.  
73 (1) All measurements, tests and analyses of  
74 the characteristics of waters, wastes and  
75 septage to which reference is made in this  
76 chapter shall be determined according to  
77 "Standard Methods for the Examination of Wa-  
78 ter and Wastewater," published by the Ameri-  
79 can Public Health Association and "Guidelines  
80 Establishing Test Procedures for Analysis of Pol-  
81 lutants," (40 CFR 136). Sampling methods, loca-  
82 tions, times, durations, and frequencies are to  
83 be determined on an individual basis subject  
84 to approval by the village.  
85 (2) Determination of the character and  
86 concentration of the high strength wastes shall  
87 be made by the person discharging them or his  
88 agent, as designated and required by the vil-  
89 lage. The village may also make its own anal-  
90 yses of the wastes and these determinations  
91 shall be used as a basis for charges. If the per-  
92 son discharging the waste contests the deter-  
93 mination, the village may elect to have an in-  
94 dependent laboratory determine the character  
95 and concentration of the waste. Such inde-  
96 pendent laboratory shall be acceptable to both  
97 the village and the person discharging the  
98 waste. All costs incurred by the independent  
99 laboratory in determining shall be assumed by  
100 the discharger.  
101 (h) Submission of information. Plans, specifica-  
102 tions and any other pertinent information relat-  
103 ing to proposed flow equalization, pretreat-  
104 ment or processing facilities shall be submitted



# Village of Sister Bay Utility Code

## Section 62.12-14 Reserved.

## Section 62.15 Violations and Penalties.

for review of the village before the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

(i) Extension of time. When it can be demonstrated that circumstances exist that would create an unreasonable burden on the person proposing to discharge a waste, to comply with the time schedule imposed in this chapter, a request for extension of the time may be presented for consideration by the board.

### Section 62.12-14 Reserved.

### Section 62.15 Violations and Penalties.

#### (a) Damages and accidental discharge.

(1) Damages. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure of pertinence or equipment that is a part of the sewer system or water system.

(2) Accidental discharge. Any person found responsible for accidentally allowing a deleterious discharge into the sewer system that causes damage to the treatment facility and/or receiving body of water shall, besides a fine, pay the amount to cover damages, both values to be established by the village.

#### (b) Written notice of violation.

(1) Any person connected to the sewerage system or water system found violating a provision of this chapter shall be served by the village with a written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction of it. If the person does not correct the violation within the time set by the village, then the person shall be liable for the penalties set forth in subsection (e) of this section from the day of first violation. The offender shall, within the period stated in such notice, permanently cease all violation.

(2) Any licensed disposer discharging to the wastewater treatment facility or to a public sewer, found violating a provision of this chapter or of any conditions of the Village Board's approval for septage disposal, may have his approval immediately revoked. This revocation shall be done in writing and state the reason for revoking the septage disposal approval.

(3) Whenever any of the rules and regulations, or others as the Village may hereafter adopt, are violated, the use of service shall be shut off from the building or place of violation (even if there are two or more parties receiving

service through the same connection) and shall not be re-established except by order of the Village Board and on payment of all arrears, the expenses and established charges of shutting off and putting on and other terms as the Village Board may decide. With the violation, the Village Board, furthermore, may declare any payment made for the service by the parties committing the violation, to be forfeited, and the payment shall then be forfeited.

(c) Liability to village for losses. Any person violating any provision of this chapter shall become liable to the village for any expense, loss or damage occasioned because of a violation that the village may suffer as a result of it.

#### (d) Damage recovery.

(1) The sewer utility shall have the right of recovery from all persons an expense incurred by such utility for the repair or replacement of any sewer pipe damaged in any manner by any person by the performance of any work under their control or by any negligent acts.

(2) The water utility shall have the right of recovery from all persons any expense incurred by such utility for the repair or replacement of any water pipe, curbcock, gate valve, hydrant or valve box damaged in any manner by any person by the performance of any work under their control or by any negligent act. Owners or operators of motor vehicles will be held liable for the cost of repair of any hydrant damaged by them and the utility will not be responsible for the damage to the motor vehicle because of such accident.

#### (6) Penalties for Well Abandonment.

(1) Failure to abandon any well after revocation of a permit to follow the provisions of Wisconsin Administrative Code NR Chapter 812, in abandoning the well is hereby deemed a public nuisance, and the Village may cause the well to be properly abandoned and may assess the cost against the owner of the affected property and collect it as a special tax.

#### (7) Penalties for Cross Connections.

The Village may discontinue water service to any property wherein any connection in violation of this section exists, if the Village reasonably believe that a cross connection may contaminate the municipal water system. The Village may also take other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued

# Village of Sister Bay Utility Code

## Section 62.16 Definitions.

## Section 62.16 Definitions.

only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided below. Water service shall not be restored until the matters in violation of this section have been eliminated and the private well and plumbing brought into compliance with the provisions of this section or adequate assurance is given the Village in its discretion that this section will be complied with in a timely manner. If it is determined by the Village that a failure of compliance with this section endangers the public health, safety or welfare and requires immediate action and a written finding to that effect is filed with the Village clerk-treasurer and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under Chapter 68, Wisconsin Statutes, within ten days of an emergency discontinuance.

(e) Penalties. Any person who shall violate any of the provisions of this chapter shall, upon conviction, forfeit not less than \$100.00 nor more than \$1,000.00 and the costs of prosecution (pursuant to Wis. Stats. § 66.0114). This, however, shall not bar the village from enforcing the connection duties set out in subsection 62.6(c) for mandatory hookup. Compliance with this chapter may also be enforced by injunction order at the suit of the village to prevent or cause the discontinuance of a violation of any of the provisions of this chapter. This chapter may be enforced by the issuance of a citation to any violator of this chapter by the Village Administrator, by any state officer with police powers or any other duly appointed law enforcement officer of the Village.

(f) Continued violation. Any person, partnership, corporation or any officer, agent or employee thereof who shall continue any violation beyond the notice time limit provided shall, upon conviction, forfeit not less than \$500.00 per day of continued violation with the costs of prosecution. In default of payment of forfeiture and costs, such violator shall be imprisoned in the county jail for a period not to exceed five days. Each day in which any violations is continued beyond the notice time limit shall be deemed a separate offense.

### Section 62.16 Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

Approving authority means the Village Board or its duly authorized committee, agent or representative.

Backflow means:

(1) A flow condition, induced by a differential in pressure that causes the flow of water or other liquid into the distribution pipes of a potable water supply from any source or sources other than its intended source.

(2) The backing up of water through a conduit or channel in the direction opposite to normal flow.

Biochemical oxygen demand (BOD) means the quantity of oxygen used in the biochemical oxidation of organic matter in five days at 20 degrees Celsius, expressed as milligrams per liter. Quantitative determination of BOD shall be made according to procedures set forth in the most recent edition of "Standard Methods."

Building drain means that part of the lowest horizontal piping of a drainage system that receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer.

Building sewer means the extension from the public sewer or other place of disposal beginning outside the inner face of the building wall.

Compatible pollutants means biochemical oxygen demand, suspended solids, phosphorus, or pH, plus additional pollutants identified in the Wisconsin Pollutant Discharge Elimination System (WPDES) permit for the publicly owned treatment works receiving the pollutants if such works were designed to treat such additional pollutants to a substantial degree.

Cross connection, control means a program for protecting the public water system from contamination due to the backflow of contaminants through the water service connection into the public water system.

Debt service charges means all costs associated with the repayment of debts incurred for the construction and/or rehabilitation of the wastewater collection system and treatment facility.

Floatable oil means oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater or septage shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

Garbage means the residue from the preparation, cooking and dispensing of food, and from the handling, storage and sale of food products and produce.

# Village of Sister Bay Utility Code

## Section 62.16 Definitions.

## Section 62.16 Definitions.

1	Ground garbage means the residue from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be no greater than one half inch in any dimension and will be carried freely in suspension under normal flow conditions in public sewers.	58	of the wastewater collection and treatment facilities. These costs, including costs associated with extraneous (clear water) flows, shall be divided proportionately among the various sewer users according to their equivalent user factors.
2		59	
3		60	
4		61	
5		62	
6		63	
7		64	Parts per million means a weight to weight ratio; the parts per million value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.
8	Improperly constructed well means a well or pump installation that does not comply with the provisions of Wis. Admin. Code NR Chapter 812 in effect at the time of construction of the well, at the installation of a contamination source, at the installation of the pump or completion of work on the well or pump installation.	65	
9		66	
10		67	
11		68	Person means any person, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, government agency or other entity.
12		69	
13		70	
14		71	
15	Incompatible pollutants mean wastewater or septage with pollutants that will adversely effect or disrupt the wastewater processes or effluent quality or sludge quality if discharged to a wastewater treatment facility.	72	pH means the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams per liter of solution. Neutral water, for example, has a pH value of seven and a hydrogen ion concentration of 10 <sup>-7</sup> .
16		73	
17		74	
18		75	
19		76	
20	High Strength waste means the wastewater from commercial or industrial processes, trade or business, as distinct from sanitary sewage, including cooling water and the discharge from sewage pretreatment facilities.	77	
21		78	Potable water means water that does not contain objectionable pollution, contamination, minerals or infective agents and is considered satisfactory for domestic consumption.
22		79	
23		80	
24		81	
25	Laterals (service lateral) means:	82	Public sewer means any sewer provided by or subject to the jurisdiction of the village. It shall also include sewers within or outside the corporate boundaries that serve one or more persons and ultimately discharge into the village's sanitary sewer system, although those sewers may not have been constructed with village funds.
26	(1) A ditch, pipe or other conduit entering or leaving a water main from the side.	83	
27		84	
28	(2) A sewer that discharges into the main sewer or other sewer branch.	85	
29		86	
30	Licensed disposer means a person holding a license under Wis. Stats. § 281.49(1)(a).	87	
31		88	
32	Meter means an instrument installed to measure the volume and/or rate of flow of water delivered through it.	89	Pump installation means the pump and related equipment used for withdrawing water from a well including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.
33		90	
34		91	
35	Municipal wastewater means the spent water of a community. The wastewater may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions, with any groundwater, surface water and stormwater that may be present.	92	
36		93	
37		94	
38		95	Replacement costs means a service charge levied on users of the wastewater collection and treatment facilities for payment of capital expenses and operation and maintenance costs, including replacement of such facilities.
39		96	
40		97	
41		98	
42	Natural outlet means any outlet, including storm sewers, into a watercourse, pond, ditch, lake or other body of surface water or groundwater.	99	
43		100	Sanitary District: means the portion of the Town of Liberty Grove covered by the Liberty Grove Sanitary District.
44		101	
45	Normal domestic strength wastewater means wastewater with concentrations less than 300 mg/l BOD, 250 mg/l suspended solids and 12 mg/l phosphorus.	102	
46		103	Sanitary sewage means a combination of liquid and water carried wastes discharged from toilets and/or sanitary plumbing facilities, with such groundwater, surface water and stormwater as may be present.
47		104	
48		105	
49	Normal user means a user whose contributions to the wastewater treatment facility consist only of normal domestic strength waste originating from a house, apartment, condominium or other living quarters occupied by a person or persons making up a distinct household, business or commercial enterprise.	106	
50		107	
51		108	Sanitary sewer means a sewer that carries liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions, with small quantities of groundwater, stormwater and unintentionally admitted surface water.
52		109	
53		110	
54		111	
55		112	
56	Operation and maintenance costs means all costs associated with the operation and maintenance	113	
57			

# Village of Sister Bay Utility Code

## Section 62.16 Definitions.

## Section 62.16 Definitions.

1	Septage means scum, liquid, sludge or other waste	58	exceedance of the standards of Wis. Admin.
2	from a septic tank, soil absorption field, hold-	59	Code NR Chapter 109 or Chapter 140 or for
3	ing tank, vault toilet or privy. This does not in-	60	which a health advisory has been issued by the
4	clude the waste from a grease trap.	61	state department of natural resources.
5	Sewage means spent water of a community. The pre-	62	Unused well means a well or pump installation that is
6	ferred term is "municipal wastewater."	63	not in use or does not have a functional pump-
7	Sewer service areas means the areas presently served	64	ing system.
8	and anticipated to be served by a sewage col-	65	USEPA means the United States Environmental Pro-
9	lection system. State regulations (Wis. Admin.	66	tection Agency.
10	Code NR § 121.05) require that water quality	67	User/customer means any person, owner or occu-
11	management plans delineate sewer service ar-	68	pant, firm, partnership, corporation, municipal-
12	areas for urban areas with a population of over	69	ity, cooperative organization, government
13	10,000. Approved facility plans contain less	70	agency, political entity, etc., provided with wa-
14	detailed sewer service areas for communities	71	ter and/or sewer service by any water and/or
15	under a population of 10,000.	72	sewer public utility.
16	Sewer service charge means a service charge levied	73	Utility means a public or private concern engaged in
17	on users of the wastewater collection and	74	the performance of some useful service, such
18	treatment facilities for payment of use related	75	as furnishing water, gas, electricity or sewer fa-
19	capital expense and operation and mainte-	76	cilities.
20	nance costs, including replacement of such fa-	77	Utility Committee: means the committee established
21	cilities.	78	by the Village including members from the
22	Sewerage system means as defined in Wis. Stats. §	79	Town of Liberty Grove and Utility District that
23	281.01(14).	80	provides oversight on the operation of the Vil-
24	Shall means mandatory; may means permissible.	81	lage Utilities.
25	Slug load means any substance released at a dis-	82	Utility District means: the portion of the Liberty Grove
26	charge rate and/or concentration that causes	83	Sanitary District designated to provide sanitary
27	interference to the wastewater treatment pro-	84	sewer service and water service.
28	cesses.	85	Wastewater facilities means the structures, equipment
29	Standard methods means the examination and analyt-	86	and processes required to collect, carry away,
30	ical procedures set forth in the most recent edi-	87	store and treat domestic and industrial wastes
31	tion of "Standard Methods for the Examination	88	and septage and dispose of the effluent.
32	of Water, Sewage and Industrial Wastes," pub-	89	Wastewater treatment works means an arrangement
33	lished jointly by the American Public Health	90	of devices and structures for treating
34	Association, the American Water Works Asso-	91	wastewater, septage, industrial wastes and
35	ciation and the Water Pollution Control Fed-	92	sludge. Sometimes used synonymously with
36	eration.	93	waste treatment.
37	Storm drain (sometimes termed "storm sewer") means	94	Water main means the water pipe, located beneath a
38	a drain or sewer for conveying water, ground-	95	street, right-of-way or easement from which
39	water, subsurface water or unpolluted water	96	domestic water supply is delivered to the ser-
40	from any source.	97	vice pipe (lateral) leading to specific premises.
41	Stormwater runoff means that portion of the rainfall	98	Water supply means:
42	that drains into sewers.	99	(1) The sources of water for public or pri-
43	Suspended solids means solids that either float on the	100	private uses. When United States Environmental
44	surface of, or are in suspension in, water,	101	Protection Agency standards have been met,
45	wastewater, septage or other liquids and that is	102	the supply is termed "an approved water sup-
46	removable by laboratory filtering as prescribed	103	ply";
47	in "Standard Methods" and is called non-	104	(2) The furnishing of good potable water
48	filterable residue.	105	under satisfactory pressure for domestic,
49	Unpolluted water means water of a quality equal or	106	commercial, industrial and public service and
50	better than the effluent criteria in effect or wa-	107	an adequate quantity of water under reason-
51	ter that would not cause violation of receiving	108	able pressure for firefighting.
52	water quality standards and would not be ben-	109	Water system means as provided in Wis. Stats. §
53	efited by discharge to the sanitary sewers and	110	811.02(25). Collectively, all of the property in-
54	wastewater treatment facilities provided.	111	involved in the operation of the water utility, in-
55	Unsafe well means a well or pump installation that	112	cluding land, water lines and appurtenances,
56	produces water contaminated bacteriologically	113	pumping stations, treatment plants and general
57	ly or water contaminated with substances in	114	property.

# Village of Sister Bay Utility Code

## *Section 62.17-19 Reserved.*

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1 Watercourse means a natural or artificial channel for  
2 the passage of water, either continuously or in-  
3 termittently.

4 Well means an excavation or opening into the ground  
5 made by digging, boring, drilling, driving or  
6 other methods for obtaining groundwater for  
7 consumption or other use.

8 Well abandonment means the filling and sealing of a  
9 well according to the provisions of Wis. Admin.  
10 Code Comm. NR Chapter. 812.

11 Wisconsin Pollutant Discharge Elimination System  
12 (WPDES) Permit means a document issued by  
13 the state department of natural resources that  
14 establishes effluent limitations and monitoring  
15 requirements for the municipal wastewater  
16 treatment facility.

17 WDNR means the Wisconsin Department of Natural  
18 Resources.

19 WPSC means the Wisconsin Public Service Commis-  
20 sion that governs the rates, rules and regula-  
21 tions of the village water utility.

22 **Section 62.17-19 Reserved.**

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# Village of Sister Bay Utility Code

*Section 62.20 Establishment of Impact Fees*

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# Village of Sister Bay Utility Code

## Section 62.20 Establishment of Impact Fees

## Section 62.26 Installment Payments

### **Section 62.20 Establishment of Impact Fees**

The following fees are impact fees established by the Village pursuant to Section 66.0617, Wis. Stats.:

(a) Impact fees pursuant to Section 62.28 of this Chapter.

### **Section 62.21 Definitions**

In this Section:

(a) All words shall have the same meanings as set forth in Section 66.0617, subsection (1), Wis. Stats.

(b) The word "development" shall have the same meaning as the phrase "land development."

### **Section 62.22 Documentation**

The following Village documents contain the needs assessments for the impact fees identified under Section 3 above, demonstrate Village compliance with the requirements of Section 66.0617(4), Wis. Stats., and shall be kept on file and available for public inspection in the Office of the Village Clerk:

Public Facilities Needs Assessment for Wastewater Impact dated March 2005

Public Facilities Needs Assessment for Water Tower and System Improvement Impact dated September 2005

Public Facilities Needs Assessment for the Downtown Sanitary Sewer and Watermain Improvements Dated June 2008 (Amended Ordinance No. 145-081208)

### **Section 62.23 Revenues**

Revenues collected by the Village as impact fees shall be placed by the Village Treasurer in segregated interest-bearing accounts, and shall be accounted for separately from other funds of the Village. Impact fee revenues and interest earned on impact fee revenues may be expended by the Village only for the capital costs for which the impact fees were imposed. Separate accounts shall be kept of fees collected from different impact fee zones, where the particular Impact Fee Ordinance provides for differential fees according to zones, and revenues collected in particular zones shall be spent in those zones as appropriate.

### **Section 62.24 Time Limit for Expenditures**

(a) The Village determines the following lengths of time appropriate for the planning, financing, acquisition and construction of the public facilities listed below:

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1. Wastewater Treatment Plant Expansion  
From January 2003 through December 31, 2005.

2. Water Tower and System Improvements  
From January 1, 2006 through December 31, 2021

3. Downtown Sanitary Sewer and Watermain Improvements. (Amended Ordinance No. 145-081208)  
From August 12, 2008 through July 31, 2015.

(b) Maximum Time to Use Impact Fees Collected From the Time of Fee Collection:

1. Type of Facility: Wastewater Treatment Plant expansion May 2025

2. Type of Facility: Water Tower and system improvements December 2026

3. Type of Facility: Downtown Sanitary Sewer and Watermain Improvements 2028 (Amended Ordinance No. 145-081208)

(c) Fees held by the Village under Section 62.23 above, and not used within the time period specified herein, shall be refunded to the persons who are the current owners of record, at the expiration of such time period, of the property with respect to which the impact fees were imposed.

### **Section 62.25 Payment of Impact Fees**

All required impact fees, unless expressly excepted in a section of this Chapter, shall be paid before a building permit may be issued for the construction for which the impact fee is to be imposed. With respect to any development affected by any impact fee imposed under this Chapter which is under construction at the time the ordinance imposing such impact fee becomes effective or which has received a building permit at such time, all required impact fees shall be paid before a certificate of occupancy may be issued for such development. Impact fee payments shall be assumed to be the responsibility of the owner of record at the time the building permit is requested.

### **Section 62.26 Installment Payments**

The Village Board, by resolution, may authorize the payment of impact fees, otherwise payable in full, in installment payments. If installment payments are authorized, interest shall be paid on the installment payments at the same rate then charged by the Village on installments of special assessments.

# Village of Sister Bay Utility Code

## Section 62.27 Appeals

## Section 62.28 Impact Fee Amounts

### Section 62.27 Appeals

A developer may appeal to contest the amount, collection or use of the impact fee in the manner provided herein:

(a) It shall be a condition to the commencement of such an appeal that the impact fee from which the developer appeals shall be paid as and when the fee or any permitted installment thereof becomes due and payable, and upon default in making any such payment, such appeal may be dismissed.

(b) The only questions appealable under this section are the following, as authorized by Section 66.0617(10), Wis. Stats.:

(1) The amount of fee charged and paid by the developer;

(2) The method of collection of the impact fee;

(3) The use to which the particular fee paid by the developer is made by the Village.

(c) Appeals must be brought within 30 days of the earlier of:

(1) The date the impact fee is payable hereunder;

(2) In a situation where installment payments are allowed, the due date of the first required installment.

(d) The appellant shall pay a filing fee of \$300 at the time of filing of the appeal. The notice of appeal shall be filed with the Village Clerk.

(e) Following the filing of the notice of appeal, the Village Clerk shall compile a record of the ordinance imposing the impact fee that is the subject of the appeal and a record of the management and expenditure of the proceeds of the impact fee, and shall transmit these documents to the Village Board. In consultation with the Village departments, the Village Clerk shall also compile a report on each appeal in which the appellant is seeking a reduction or total refund in the impact fee paid. This report shall specify the fiscal impact on the Village of Sister Bay if the appeal overturns the impact fee. If the fiscal impact re-port indicates that the appeal, if successful, will cause a revenue shortfall that otherwise was not budgeted with respect to the public facility, and if this revenue shortfall cannot be reconciled by reduction in impacts caused by development on the appellant's property, the report shall estimate whether it will be necessary for the Village to adjust impact fees, or amend existing ordi-

nances, to recover the proposed revenue shortfall.

(f) The Village Board shall hold a public hearing on the appeal, preceded by a Class 1 notice, providing fair opportunity for the appellant to be heard. The burden shall be on the appellant to establish illegality or impropriety of the fee from which the appeal has been taken. Following the close of the public hearing, the Village Board shall deliberate upon the matter, and shall conduct such studies and inquiries as it deems appropriate to decide the appeal.

(g) If the Village Board determines that the appeal has merit, it shall determine appropriate remedies. These may include reallocation of the proceeds of the challenged impact fee to accomplish the purposes for which the fee was collected, refunding the impact fee in full or in part, along with interest collected by the Village thereon, or granting the appellant the opportunity to make the impact fee payment in installments, or such other remedies as it deems appropriate in a particular case.

### Section 62.28 Impact Fee Amounts

(a) The Wastewater Treatment Plant expansion impact fee for every residential meter equivalent is \$653.00.

(b) The Water Tower and System improvements impact fee for every residential meter equivalent is \$1,478.00.

(c) The Downtown Sanitary Sewer and Watermain Improvements impact fee for every residential meter equivalent is \$861.00 effective on September 1, 2010. (Amended Ordinance No. 179-121410)